

SDNY (Rev. 10/2006) Pro Hac Vice Motion to Admit Counsel

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Michael Danieli, on behalf of Plaintiff,
himself and those similarly
situated,

- against -

International Business Machines Defendant.
Corporation

08 cv 3688 (RWS)

**MOTION TO ADMIT COUNSEL
PRO HAC VICE**

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the
Southern and Eastern Districts of New York, I, Piper Hoffman a member in good standing of
the bar of this Court, hereby move for an Order allowing the admission pro hac vice of

Applicant's Name: J. Derek Braziel
Firm Name: Lee & Braziel, LLP
Address: 1801 N. Lamar St., Suite 325
City/State/Zip: Dallas, Texas 75202
Phone Number: (214) 749-1400
Fax Number: (214) 749-1010

J. Derek Braziel is a member in good standing of the Bar of the States of
Texas

There are no pending disciplinary proceeding against J. Derek Braziel
in any State or Federal court.

Dated: August 27,
2008
City, State: New York, NY

Respectfully submitted,

Sponsor's Piper Hoffman
SDNY Bar PH 4990
Firm Name: Outten & Golden LLP
Address: 3 Park Ave., 29th Floor
City/State/Zip: New York, NY 10016
Phone Number: (212) 245-1000
Fax Number: (212) 977-4005

SDNY (Rev. 10/2006) Pro Hac Vice Sample Affidavit

UNITED STATES DISTRICT**SOUTHERN DISTRICT OF NEW YORK**Michael Danieli, individually and on
behalf of others similarly situated,

Plaintiff,

- against -

International Business Machines
Corporation

Defendant.

08 cv 3688 (RWS)

**AFFIDAVIT OF
PIPER HOFFMAN
IN SUPPORT OF MOTION
TO ADMIT J. DEREK BRAZIEL
PRO HAC VICE**

State of New York)

)

ss:

County of New York)

Piper Hoffman, being duly sworn, hereby deposes and says as follows:

1. I am a partner at Outten & Golden LLP, counsel for Plaintiff in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Plaintiff's motion to admit J. Derek Braziel as counsel pro hac vice to represent Plaintiff in this matter.
2. I am a member in good standing of the bar of the State of New York and was admitted to practice law in New York on 2/26/03. I am also admitted to the bars of Massachusetts and D.C. and of the United States District Court for the Southern District of New York, and am in good standing in all of these bars.
3. I have known J. Derek Braziel for several years.
4. J. Derek Braziel is a partner at Lee & Braziel, LLP in Dallas, Texas.
5. I have found Mr. Braziel to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.
6. Accordingly, I am pleased to move the admission of J. Derek Braziel pro hac vice.
7. I respectfully submit a proposed order granting the admission of J. Derek Braziel pro hac vice, which is attached hereto as Exhibit A.

WHEREFORE it is respectfully requested that the motion to admit J. Derek Braziel pro hac vice, to represent Plaintiff in the above captioned matter, be granted.

Dated: 08/27/2008

City, State: New York, NY

Notarized:



DIANE FISHER
Notary Public, State of New York
No. 01FI6116695
Qualified in Richmond County
Commission Expires October 04, 2008

Respectfully submitted,



Name of Movant: Piper Hoffman

SDNY Bar Code: PH 4990

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Michael Danieli, on behalf of himself and those similarly situated, Plaintiff,

08 cv 3688 (RW)

- against -

International Business Machines Corporation Defendant.

**ORDER FOR ADMISSION
PRO HAC VICE
ON WRITTEN MOTION**

Upon the motion of Piper Hoffman attorney for Michael Danieli, on behalf of himself and those similarly situated, and said sponsor attorney's affidavit in support;

IT IS HEREBY ORDERED that

Applicant's Name: J. Derek Braziel
Firm Name: Lee & Braziel, LLP
Address: 1801 N. Lamar St., Suite 325
City/State/Zip: Dallas, Texas 75202
Telephone/Fax: (214) 749-1400
Email Address: jdbraziel@l-b-law.com

is admitted to practice pro hac vice as counsel for Michael Danieli, on behalf of himself and those similarly situated, in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the pro hac vice fee to the Clerk of Court.

Dated:
City, State:

United States District/Magistrate Judge

STATE BAR OF TEXAS



Office of The Chief Disciplinary Counsel

July 28, 2008

RE: **Mr. Jimmy Derek Braziel**
State Bar Number - **00793380**

To Whom it May Concern:

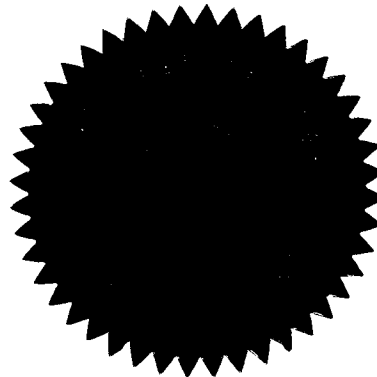
This is to certify that Mr. Jimmy Derek Braziel was licensed to practice law in Texas on November 03, 1995 and is an active member in good standing with the State Bar of Texas.

Good Standing means that the attorney is current on payment of Bar dues and attorney occupation tax; has met Minimum Continuing Legal Education requirements; and is not presently under either administrative or disciplinary suspension.

No disciplinary action involving professional misconduct has been taken against the attorney's law license. This certification expires 30 days from this date, unless sooner revoked or rendered invalid by operation of rule or law.

John A. Neal
Chief Disciplinary Counsel

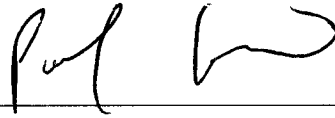
JN/dh



Certificate of Service

I, Piel Lora, under penalties of perjury, certify the following as true and correct: I am not a party to this action; and I am over 18 years of age. On this 27 day of August 2008, I served by mail a true and correct copy of the following: (1) Motion to Admit Counsel *Pro Hac Vice*; (2) Affidavit of Piper Hoffman in Support of Motion to Admit Counsel *Pro Hac Vice*; and (3) Proposed Order to Admit Counsel *Pro Hac Vice* for J. Derek Braziel, Esq. to the following attorneys of record for International Business Machines Corp., defendant in this action, whose last known address is:

Matthew W. Lampe, Esq.
Wendy C. Butler, Esq.
Jones Day
222 East 41st Street
New York, NY 10017

A handwritten signature in black ink, appearing to read 'Piel Lora', is written above a horizontal line.

Piel Lora